

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

BRANDON KEITH THOMPSON
Defendant.

MEMORANDUM DECISION AND
ORDER DENYING DEFENDANT'S
MOTION FOR RECONSIDERATION
OF PRETRIAL RELEASE

Case No. 2:04-CR-795 TS

On November 30, 2005, the Court held a status conference in this matter. At the status conference, the Court was informed of Defendant's medical problems. Defendant's counsel sought to have Defendant released from confinement in order to receive treatment. The Court informed Defendant that the Court would consider releasing him from his federal hold if he could gain release from the hold placed upon him by the State Board of Pardons. The Court asked Defendant to submit a written motion to this effect.

Defendant then filed a Motion for Reconsideration of Pretrial Release on December 2, 2005. The government responded to the Motion, stating that it did not object to the Motion to the extent that it was consistent with what was set out by the Court in the November 30, 2005 status conference.

The Court held another status conference on April 18, 2006. At that hearing, the Court was informed that Defendant was unable to secure a release from the State Board of Pardons' hold. The Court set this matter for trial on July 18, 2006. Since Defendant was unable to secure a release from the State Board of Pardons' hold, the Court will deny his Motion for Reconsideration of Pretrial Release.

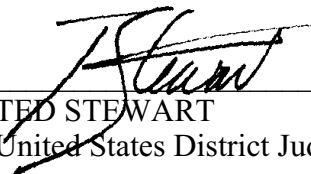
It is therefore

ORDERED that Defendant's Motion for Reconsideration of Pretrial Release (Docket No. 68) is DENIED. It is further

ORDERED that the time from the filing of the Motion for Reconsideration of Pretrial Release—December 2, 2005—through the new trial date of July 18, 2006, is excluded from the computation of the Speedy Trial Act time pursuant to 18 U.S.C. § 3161(h)(1)(F) and (J).

DATED April 19, 2006.

BY THE COURT:



TED STEWART
United States District Judge